

RECOGNIZING THE WORK OF DR.
FRANK SPLITT

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2005

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to call attention to the work of Dr. Frank Splitt, a McCormick Faculty Fellow at Northwestern University. As a member of The Drake Group, Dr. Splitt has worked to bring attention to the need for reform in college athletics. I would like to submit this article, "Why Congress Should Review Policies that Facilitate the Growth and Corruption of Big-Time College Sports" for the review of my colleagues. I hope that during this session of Congress we can begin to work to improve the system for the sake of our athletes, teachers, fans, and entire educational system.

"Why Congress Should Review Policies that Facilitate the Growth and Corruption of Big-Time College Sports" by Dr. Frank Splitt

Despite many wakeup calls and warnings over the years, the situation with big-time college sports is much worse than many could ever have imagined. Two questions loom large: What's going on? And, where are the people who are willing to speak the truth about the academic corruption spawned by the college-sports entertainment colossus and to do something about it? To find the answer to the first question, one need only look at the usual suspect—money. Big money, together with greed, avid sports fans, an apathetic public, and governmental policies make college sports a lucrative and growing tax-free business enterprise. Key enablers for the continuing growth of this business are higher education professionals in a state of denial over the unflattering reality of academic corruption, a relatively ineffectual NCAA, and facilitating government policies involving privacy law and the subsidy of athletic departments and favorable tax treatment of related projects.

The Drake Group (TDG), a grass-roots faculty organization, provides a partial answer to the second question. It works on the premise that college sports aren't themselves evil, but rather, it's the related academic corruption that should be exposed and eliminated. TDG has sponsored the publication of two papers on college-sports reform, "Reclaiming Academic Primacy in Higher Education," and a sequel, "The Faculty-Driven Movement to Reform Big-Time College Sports," see www.ece.northwestern.edu/EXTERNAL/Splitt/. The first paper served as another wakeup call to university presidents, trustees, administrators and faculties. The sequel focused on a TDG initiative to help restore academic integrity by working to change the Family Educational Rights and Privacy of 1974 (FERPA)—also known as the Buckley Amendment.

As an unintended consequence of the Buckley Amendment, evidence of academic corruption and shenanigans in big-time college sports are hidden from real public scrutiny and the NCAA and schools (via waivers) can exploit and control their athletes while only releasing news favorable to themselves.

In their Wisconsin Law Review article, "Cleaning Up Buckley: How The Family Edu-

cational Rights and Privacy Act Shields Academic Corruption In College Athletics," Matthew Salzwedel and Jon Ericson make a compelling case for simple changes that would permit an appropriate level of disclosure. It is my view that those changes would lead to exposure of institutional misbehavior via publication of information about the academic courses that athletes take, as well as their choice of professors and academic majors. Over time, that disclosure would work to ensure that college athletes are getting a legitimate college education.

Changes to the Buckley Amendment require governmental intervention. TDG made a formal request for a review of the amendment to LeRoy S. Rooker, Director of the U.S. Department of Education Family Policy Compliance Office. In his response, Director Rooker stated that TDG's concerns were largely those that can only be addressed by Congress. Follow up with the chairs of the appropriate Congressional Committees has been initiated by TDG.

It should be clear that, no matter how bad college sports related scandals may become, how appropriate any one of a number of reform measures may be, or, how intense the urging of the Knight Commission, there is little likelihood that these kinds of measures would be adopted on a voluntary basis. The reason is simple: Universal adoption would likely prove to be successful in curbing the rampant excesses of the college sports and level the playing field, but put at risk the big, tax-free money flow into the NCAA cartel. Substantive reform measures all seem to make sense to the reform minded, but not to those that are to be reformed—setting the stage for endless debate. Nothing of consequence happens.

The NCAA's proposed reforms in the wake of the University of Colorado-Boulder recruiting scandal came under critical review at a House Energy and Commerce subcommittee on May 18, 2004. That hearing, titled "Supporting Our Intercollegiate Student-Athletes: Proposed NCAA Reforms" was called to examine the NCAA response to the recruiting practices and policies of intercollegiate athletics. The Subcommittee expressed concern that some of the NCAA's new proposals don't go far enough and mentioned a possible motivational tool for Congress to get what it wants: the tax-exempt status of NCAA programs. Those remarks spawn hope that the NCAA and its members will be forced to pay serious attention to reform and enforcement as well as tell the truth about their financial operations.

With a public now fatigued with terrorist related threats and numbed by grievous wrongdoing, scandals, and cover ups in their financial and political worlds, the challenge for Congress is to take on the tasks of working for disclosure via "cleaning up Buckley"—penetrating the closed society of higher education and its "See no evil, Speak no evil, Hear no evil," modus operandi—and calling for an IRS audit of the NCAA cartel. When buttressed by compelling arguments for reform and intensive scrutiny by the media, these efforts can surmount the formidable barriers that have thus far shielded intercollegiate athletics from serious reform.

IN MEMORY OF HON. GLENN BOX

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2005

Mr. SESSIONS. Mr. Speaker, Mr. HENSARLING and I rise to honor the memory of the late Honorable Glenn Box. Glenn served his fellow citizens with distinction on the Dallas City Council from 1989 to 1995. We are greatly saddened by his passing, as Dallas lost one of its strongest advocates to cancer.

Glenn passed away from a rare form of cancer, mesothelioma, on February 17, 2005 at Baylor University Medical Center. We mourn the loss of such a great civic leader for the people of Dallas. At the age of thirty, Glenn had already been elected to the Dallas City Council, and would serve as the chairman of the Public Safety Committee from 1991 to 1995. Upon his retirement from public service, Glenn joined the Coca-Cola Company and most recently served as a regional vice-president for Coke sales throughout eleven Midwestern states.

Glenn was born and raised in Dallas, graduating from W.T. White High School and then attended Southern Methodist University for his undergraduate degree. After earning his law degree from the University of Texas at Austin, he returned to Dallas to join the law firm of Jackson & Walker.

In addition to his loving wife and mother, Glenn is survived by his two sons and his brother and sister. We join the Box family in honoring the memory of Glenn's life and his tireless service to improving the lives of the citizens of Dallas.

CODIFICATION OF TITLE 46 OF THE
UNITED STATES CODE "SHIPPING"

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2005

Mr. SENSENBRENNER. Mr. Speaker, today I am introducing a bill to complete the codification of title 46, United States Code, "Shipping", as positive law. This bill is an updated version of H.R. 4319 which was introduced in the 108th Congress.

This bill has been prepared by the Office of the Law Revision Counsel of the House of Representatives in accordance with 2 U.S.C. 285b(1). That Office received comments on the predecessor bill and made appropriate changes which are reflected in this bill.

Questions about this bill should be addressed to Richard B. Simpson, Senior Counsel, Office of the Law Revision Counsel, U.S. House of Representatives, H2-304 Ford House Office Building, Washington, D.C. 20515. The telephone number is 202-226-9059. Additional information can be found on the Law Revision Counsel website at <http://uscode.house.gov/cod/t46>.